

ARTICLE 23 BEREAVEMENT LEAVE

23.1 Each full-time employee shall be granted Bereavement Leave with full pay for up to 40 work hours to attend to the customary obligations arising from the death of any of the following relatives of such employee or employee's spouse or employee's domestic partner. All leave must be used within 14 calendar days following the death of an eligible person. Under extreme circumstances, the 14 day requirement may be waived by the Director of Employee Relations. The decision of the Director of Employee Relations shall be final, with no process for further appeal:

- a) Parent/Step-parent
- b) Spouse
- c) Child/Step-child
- d) Brother/Sister/Step-brother/Step-sister/Half-brother/Half-sister
- e) Grandparent/Step-grandparent
- f) Great grandparent/Step-great grandparent
- g) Grandchild
- h) Brother/Sister-in law/Son/Daughter-in-law

23.1.1 A domestic partner, as referenced in Section 23.1 must be the domestic partner registered with the Department of Employee Services.

23.2 Anything hereinabove to the contrary notwithstanding, no such employee shall be granted Bereavement leave in the event of the death of any of the above relatives, if such employee is not scheduled to work when such bereavement leave is required.

ARTICLE 24 RETIREMENT

24.1 Current retirement benefits will continue during the term of this Agreement, except as described herein, and shall be set forth in the Municipal Code.

24.1.1 If an employee receives a service-connected disability retirement, pursuant to an application for such retirement made on or after July 13, 1986, the retirement benefit will be offset by subsequent workers' compensation payments except for survivorship benefits and permanent disability payments for retirees receiving a 100% permanent disability rating.

24.1.2 Administrative cost of the Federated Retirement System, including staff salaries and indirect labor costs, are to be paid from the retirement fund. Costs to the fund for staff salaries and indirect labor costs shall not exceed 0.10% of assets in the fund per year.

ARTICLE 25 CATASTROPHIC ILLNESS/INJURY TIME DONATION

25.1 Policy Statement This provision is designed to assist an employee who has exhausted paid leave time due to a critical medical condition of the employee or an eligible family member. This provision allows other employees to donate leave in accordance with the following terms so an employee may continue in a paid status with the City for a longer period of time.

25.2 Definitions For purposes of this article the following definitions shall be used.

- 25.2.1 Eligible Employee. A full or part-time benefited employee.
- 25.2.2 Eligible Family Member. 1) A legal spouse. 2) A person under 18 years of age, or a person incapable of self-care because of a physical or mental disability who is a biological, adopted, foster or step child, or a ward of the employee. 3) A person for whom the employee is charged with a parent's legal rights, duties and responsibilities.
- 25.2.3 Catastrophic Illness or Injury. A critical medical condition considered to be life-threatening, terminal, or a long-term major physical impairment or disability.
- 25.3 Employee Catastrophic Illness or Injury Leave Donation An eligible employee may receive donations of accrued vacation and/or compensatory time which shall be converted to sick leave and added to the employee's sick leave balance if the employee has suffered a non-job related catastrophic illness or injury which prevents the employee from being able to work.
- 25.4 Care For Eligible Family Member An eligible employee may receive donations of accrued vacation and/or compensatory time which shall be converted to sick leave and added to the employee's sick leave balance if the employee is required to be absent from work to care for an eligible family member who has a catastrophic illness.
- 25.5 Eligibility For Donated Leave To be eligible to receive donated paid leave, the recipient employee's illness or injury, or necessary care of an eligible family member, must require the employee to be absent for a minimum of 30 consecutive calendar days, or 30 cumulative work days within the six previous months. The recipient employee must have exhausted all available paid leave prior to using donated leave, however, the request may be initiated prior to the anticipated date leave balances will be exhausted. Retroactive donations shall not be permitted.
- 25.6 Use Of Sick Leave For Eligible Family Member In the event an employee becomes eligible for donated leave due to the catastrophic illness of an eligible family member, the employee shall use accumulated sick leave in excess of the 3 days per occurrence once the employee has exhausted all other available paid leave. However, the employee must meet all of the requirements of the donated leave program and submit appropriate medical verification in order to be eligible to use earned sick leave. This is the only situation in which an employee is eligible to use sick leave in excess of 3 days per occurrence due to the illness of an eligible family member.
- 25.7 Application The recipient employee, recipient employee's family, or other person designated in writing by the recipient employee, must submit a written request along with medical verification to the Employee Services Department.
- 25.8 Medical Verification Medical verification, including diagnosis and prognosis, must be provided by the recipient employee and a copy submitted to Employee Health Services in the Employee Services Department. Employee Health Services shall review the medical verification, consult with the treating physician, and determine whether or not the illness/injury is catastrophic.
- 25.9 Maximum Donation A recipient employee is eligible to receive a total maximum of 1040 hours of donated leave time during their employment with the City. The amount of donated leave time available to an employee shall be appropriately prorated for benefited part-time employees

25.9.1 Increase to Maximum Donation. If an eligible employee exhausts the maximum 1,040 hours of donated leave and if the employee's or eligible family member's catastrophic illness or injury prevents the employee from returning to work, the employee or the employee's designee may apply for an increase of the maximum to 2,080 total hours of donated leave. Application for the increased maximum shall be made to the City Manager through the Office of Employee Relations. The application shall include a recommendation from the Department Director and shall be evaluated based upon the operational impact on the employee's department and subject to re-verification of the medical condition to determine if the illness or injury still qualifies as catastrophic and prevents the employee from returning to work. The denial of an application for an increase to the maximum donated leave is final and is not subject to the grievance procedure.

25.10 Increments Donations of vacation and/or compensatory time shall be made in increments of full or half (0.5) hours and are irrevocable.

25.11 Conversion Donations shall be on a dollar for dollar basis. The value of donated leave time shall be calculated at the donor's regular pay rate, then converted to hours of sick leave at the recipient's regular pay rate to the nearest half (0.5) hour to determine the number of hours of sick leave available to recipient. For employees covered by the City's salary continuation insurance plan, use of donated leave will be an offset to benefits in accordance with the provisions of that plan.

25.12 Unused Donations Unused hours remaining when the recipient returns to work or is separated from employment with the City shall be retained by the recipient. In the event of the death of the recipient while still employed by the City, any donated unused leave time remaining at the time of death will be paid to the recipient's estate at 100% of the value at the employee's final hourly rate.

ARTICLE 26 PROBATIONARY PERIOD

26.1 Probationary periods shall not be less than six (6) or twelve (12) months of actual service as determined by the Civil Service Commission. Actual service shall mean regular hours worked, paid holidays and up to 80 hours of other cumulative or consecutive paid or unpaid absences.

26.2 An employee's probationary period may be extended at the discretion of the City up to a maximum of three (3) months of actual and continuous service. The employee will be notified in writing of the length and reason of the extension. The employee will be provided with a copy of their performance appraisal and a copy of the memo from the department to Human Resources which outlines the reasons for the request for extension.

ARTICLE 27 ALTERNATE DISCIPLINE

As an alternative to suspension, demotion or dismissal, the appointing authority may reduce an employee's salary step up to no more than two steps in a case involving a loss of driving privileges or attendance problems (excluding authorized paid sick leave). The amount and length of time of the salary reduction will be specified in the Notice of Intended Discipline. The salary may be reduced either for a specified period of time or until the condition which caused the salary reduction has been corrected; e.g., reinstatement of city driving privileges. The employee may